Straight Talk About "Assault Weapons"

A "Survival Guide" to the Expiration of the 1994 Ban

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Introduction

As you may have heard, the 1994 "assault weapons" ban expired on September 13th, 2004. Because the airwaves, news websites, newspapers, and magazines are overflowing with doomsday predictions of all the death and destruction that will rain down on our country as a result of this, you may be concerned. In reality, as you will discover, the firearms restricted by the ban were actually functionally identical to many guns not covered by the ban, having the same rate of fire capability and firing the same ammunition. Despite popular belief, the ban had nothing to do with machine guns, which have been very tightly regulated for many years and continue to be even with the expiration of the AWB.

I am reminded of a scene in *Saving Private Ryan* where the American soldiers have entered a bombed out town, part of which is controlled by German forces. A German propaganda officer off in the distance drones on and on over a loudspeaker, stating ridiculous things like "the Statue of Liberty is kaput!" in an attempt to demoralize the American troops. The soldiers are mildly amused by this and obviously do not take it seriously at all.

This is similar to what happens when people knowledgeable about firearms hear some of the outrageous statements about the "assault weapons" ban (AWB) made by gun control advocates. We laugh it off, talk about how silly these statements are, and about how desperate these people must be to stretch the truth (and that's putting it charitably) to this degree just to keep their agenda moving in the right direction.

The vast majority of these statements are simply not worthy of being responded to. But at the same time, how can we simply let this fear-mongering rhetoric go unchallenged, particularly when a large number of people in this country, through no fault of their own, simply have no way of recognizing the frivolous nature of these assertions?

The anti-gun side of this issue has engaged in shameful tactics of intentionally deceiving and confusing the public, which I will illustrate conclusively. I will not, however, take a "well, they're lying to get people on their side, so it's fine for us to do so too" approach. The points made in this document are backed up by fact and logic. If you come across anything that you do not feel is accurately portrayed, or have any other questions regarding the AWB, I welcome you to e-mail me at **mike@awbansunset.com** so that we may discuss it (really, I mean that sincerely).

A warning

"Proving" the AWB should not be renewed, in the face of a storm of propaganda from the other side, is no easy task. The debate has been framed in such a way that proponents of the ban can simply lob rhetorical Molotov cocktails through the window, while we are left expending most of our efforts scrambling around trying to put out the fires and clean up the messes.

The anti-gun side simply makes the baseless assertion that the ban is a vital public safety measure that does not infringe on anyone's rights and places the burden on us to prove otherwise. The problem is that, while their emotional anecdotes and catchy one-liners are completely devoid of fact, they have impact. It is virtually impossible for us to respond to these statements without going into some technical details of firearms, crime statistics, etc. It is at that time that most peoples' eyes begin to glaze over, as they try to digest all this seemingly complicated information that's being thrown at them. The anti-gun argument is simply easier to deal with and doesn't require a large investment of time and thought to accept, which is a particularly tricky problem given the fact that many people are indifferent to legislation that they feel does not directly affect them.

My hope is that you have enough of a casual interest in this topic so as to cause you to continue to read this document and learn the facts on the AWB. If nothing else, even if you're not interested in the firearms aspect of this issue, the battle over the AWB is a fascinating study in dirty politics at its worst.

Mistaken identity

"The semi-automatic weapons' menacing looks, coupled with the public's confusion over fully automatic machine guns versus semi-automatic assault weapons – anything that looks like a machine gun is assumed to be a machine gun – can only increase that chance of public support for restrictions on these weapons."

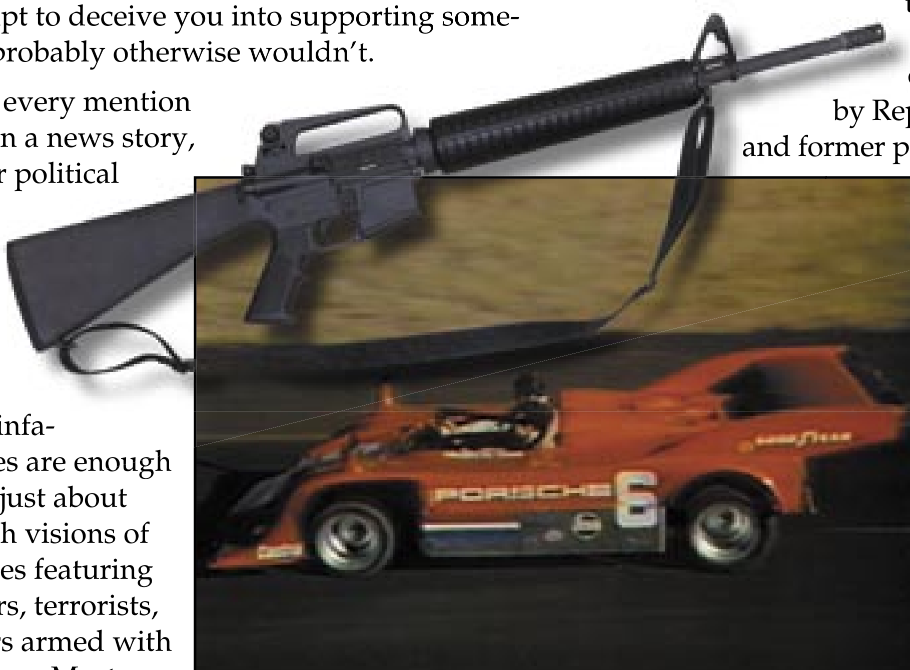
These words, perhaps more than any others, demonstrate gun control organizations' motivation and rationale for targeting what they perceived as a "vulnerable" category of firearms. Written in 1988 by Josh Sugarmann of the Violence Policy Center, one of the most extreme anti-gun organizations, this statement symbolizes the gun control lobby's desperate search

for a new villain to pursue following a fading interest in Sugarmann's then pet cause of banning private ownership of all handguns.

It speaks volumes of the apparent lack of integrity on the part of those seeking to advance their particular agenda no matter what the cost. You, as part of the "public" referenced in this quote, should be extremely offended by the fact that this man is gleefully engaged in an attempt to deceive you into supporting something you probably otherwise wouldn't.

Virtually every mention of the ban in a news story, editorial, or political speech includes terms like "AK-47" and "Uzi." These two infamous names are enough to frighten just about anyone with visions of movie scenes featuring drug dealers, terrorists, and soldiers armed with machine guns. Most people understand that an AK-47 is a Soviet-designed military rifle, and (perhaps even more so) that an Uzi is an extremely fast firing machine pistol. Just to re-emphasize, "assault weapons" are NOT machine guns. The "AK-47s" and "Uzis" discussed in the context of the AWB are merely semi-automatics (one shot per trigger pull, just like most other guns) that LOOK like their military counterparts. Even if the writer of a news story, opinion piece, or anti-gun press release qualifies the inclusion of these names by also mentioning the term "semi-automatic," this important detail is completely overpowered by the striking imagery (written and/or pictorial) of firearms that look very similar to their military cousins, along with the frequently used "rapid fire" or "spray fire" phrases (again, AWs fire NO FASTER than any other semi-automatic firearm).

While we do not necessarily believe that all news stories on this subject are written with the specific intent to mislead the public, we cannot say the same about anti-gun organizations and politicians. Journalists might often simply be guilty of sloppy reporting or may be seeking to spice up their writings with catchy terms, without realizing the implications. On the other hand, going back to Josh Sugarmann's statement about the public's confusion on this issue, those pushing for this ban ARE indeed intentionally attempting to deceive the public, as they are well aware that the ban cannot stand on its own merits. This is evidenced by statements made by Rep. Carolyn McCarthy (D-NY) and former presidential candidate Wesley Clark... both of them stated that our military uses the "assault weapons" covered by the ban. This is simply not true. The fully-automatic M-16s and M-4s in use by our military LOOK almost identical to "civilianized" semi-automatic AR-15 variants, but the AR-15s covered by the ban are NOT machine guns. That is a tremendously important detail, and it is hard to believe that Clark and McCarthy genuinely do not know any better and simply made an honest mistake. But you can judge that for yourself.



This is a video capture from a cheesy '80s movie called "The Last Chase" starring Lee Majors. I won't go into all the details of the plot, but the movie centers on this race car. It IS a race car, right? I mean, it has a "Porsche" label, has a wing on the back, auto industry stickers, fancy race car styling, etc. Just about anyone watching this movie would come to the conclusion that it is most definitely a very fast race car. Anyone but die-hard Porsche enthusiasts who know what to look for. You see, this car is not a fine-tuned, thoroughbred Porsche at all... the producers of the movie simply built a replica from a VW kit car chassis. While not having anywhere near the performance of the real thing, it got the job done, convincing viewers that it was indeed a very fast race car.

The same thing applies to the AR-15 pictured above, which, although nearly identical in appearance to the M-16 employed by our military, does not have the fully automatic or burst fire capability as its fully-automatic cousin.

• The ban has nothing to do with machine guns.

• "Assault weapons" fire a single shot for each pull of the trigger, just like any other non-military gun.

• "Assault weapons" are not in widespread use by any military force.

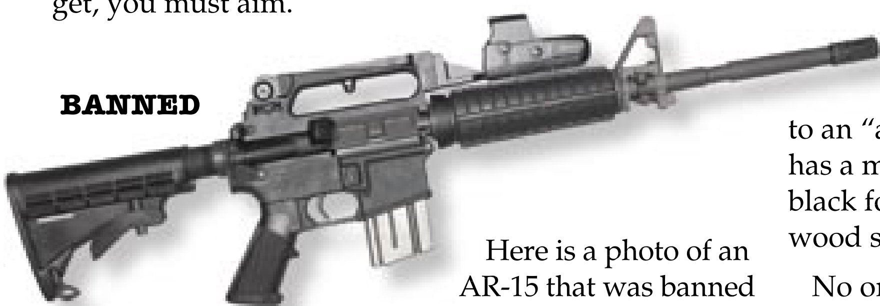
• The primary method of gathering support for the AWB is, and always has been, by misleading the public into thinking AWs are machine guns.

Then what IS an "assault weapon?"

Simply put, it's a semi-automatic (one shot per trigger pull, just like most other guns), that can accept a detachable magazine (again, a feature that most guns have), and also has two or more of certain "military-

style" features, such as a flash suppressor, adjustable stock, pistol grip, bayonet lug, etc. None of these features make the gun any more lethal and are considered merely cosmetic or ergonomic. Out of these so-called "evil features," the one that is primarily associated with the military-style appearance of these guns is the pistol grip. The inclusion of the pistol grip is a side effect of the design of the gun, and, contrary to what the anti-gun side says, it does NOT specifically enable "firing from the hip" any more than a traditional rifle.

As a side note, even though AWs are no easier to fire "from the hip" than other rifles, I feel compelled to point out how ridiculous it is that this is even brought up at all... if you fire from the hip without aiming, you will likely not hit your target. "Assault weapons" do not have some special ability to cause their bullets to magically "home in" on their intended target automatically... if you intend to hit your target, you must aim.



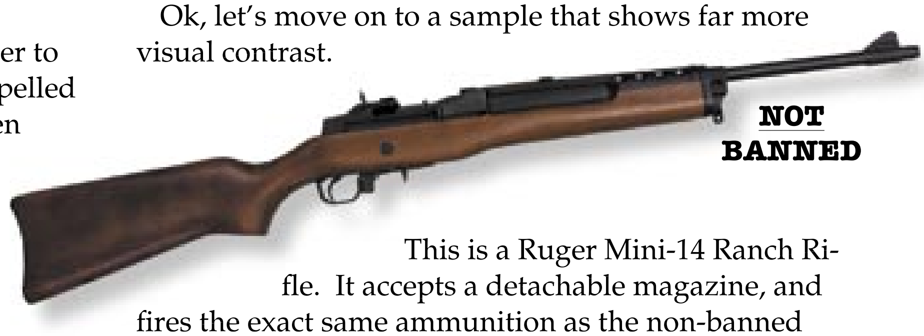
Here is a photo of an AR-15 that was banned under this law. What makes this particular gun so deadly? The stock (the part of the rifle that rests against the shooter's shoulder) is adjustable, it has a flash suppressor at the end of the barrel, and it has a bayonet lug. Without these accessories, the rifle would not be restricted by the ban.

Just for the sake of comparison, let's look at a few examples of guns that are NOT "assault weapons" (and are therefore not restricted by the ban).



Here is the same rifle, modified to comply with the ban. Though it looks like it has an adjustable stock, it is actually pinned in place so that it cannot be moved. If the stock could be adjusted, the gun would be illegal under this ban. Just to make sure this is made perfectly clear, this gun is fine according to the ban. But with the addition of this one minor accessory, it suddenly becomes an ultra-lethal killing machine that cannot be allowed into the hands of citizens. In addition, instead of a flash suppressor, it has a muzzle brake (a device that helps keep the muzzle from rising when fired, which is not restricted by the ban). How can anyone not view this as being one of the most ridiculous pieces of legislation ever to emerge from Congress?

Ok, let's move on to a sample that shows far more visual contrast.



This is a Ruger Mini-14 Ranch Rifle. It accepts a detachable magazine, and fires the exact same ammunition as the non-banned and the banned AR-15s. It fires at the same rate as an "assault weapon" and is equally easy to fire "from the hip" (not that this matters anyway). This rifle is **functionally identical** to an "assault weapon." The only difference is that it has a more conventional design. But if this rifle had a black folding stock instead of the traditional-looking wood stock, it would be banned.

No one can argue with a straight face that these differences amount to the apocalyptic predictions that ban proponents have made.

- "Assault weapons" are functionally identical to many guns that were not restricted by the ban.
- Despite their menacing appearance, they are no more powerful than more traditional-looking guns.
- The ban was based primarily on superficial design features that do not have an impact on the lethality of the gun.

Why did the Ban expire?

Because there was such strong opposition to the ban, one very significant concession that had to be included to secure the needed votes was a "sunset clause" that set an automatic repeal of the ban after ten years, along with a mandate that studies be conducted to examine the effects of the ban. This set up a situation where ban proponents would bear the

burden of proving that the ban had made enough of a difference in crime rates to warrant its continuation, so that an ineffective gun control law would not remain on the books indefinitely.

• The ban passed by just 2 votes in the House.

• A 10-year "sunset provision" had to be included to gain enough votes.

• The expiration of the proven-ineffective ban WAS the legislative intent of the 1994 law.

Around 70% of Americans support the Ban... why wasn't Congress eager to extend it?

Gun control supporters will state that this is because the evil gun lobby has a stranglehold on Congress. I suppose in a way that could be considered truthful, but let's examine this for a moment. What is the National Rifle Association? Quite simply, this organization, and others such as Gun Owners of America, exist for the purposes of being a voice in Washington DC for millions of Americans who feel strongly about the Second Amendment. These members are the sole source of the NRA's power, and without them, the NRA is nothing. When an anti-gun politician laments about the influence the NRA wields in DC, what they are really upset about is the fact that a very large number of Americans have been able to band together so effectively to protect their Constitutional rights. Without these organizations, gun owners' individual voices would not be heard. But collectively, 4 million+ NRA members are hard to ignore.

So, when anti-gun activists complain about the "gun lobby," a more accurate term to use would be the gun **owners'** lobby. Gun owners have just as much right to participate in the political process as anti-gun organizations do, and it is only because the latter have always come up short on membership, both in terms of raw numbers and in dedication to the issue, that they regard the situation as being unfair.

However, even though the NRA's membership count is impressive, it's no match for the aforementioned 70% of the entire population. Or is it?

First of all, I'm a little surprised that the number is so low... I'd expect it to be more like 85% or 90%. In fact, I'd wager that if you were to pick up the phone right now, call 100 people at random, and ask them "do you support a ban on semi-automatic, military-style, rapid fire assault weapons such as AK-47s and Uzis," every single one of them would respond with an emphatic YES. If you eased off on the wording a bit, asking "do you support a ban on semi-automatic assault weapons," all but a few would still answer yes. Why? Read on.

There's a Showtime series featuring entertainers Penn & Teller that exposes common myths and misconceptions. One of the episodes involved the environmentalist movement. During one segment, they sent one of their people to some sort of environmentalist rally, who went around seeking signatures for a petition to ban dihydrogen monoxide. She informed people (truthfully) that this chemical was used by the nuclear industry and was used in the process of making styrofoam products. It could cause frequent urination, could be fatal if inhaled, and contained trace amounts of arsenic. Hundreds of people (including the rally's organizer) eagerly signed up, voicing their support for banning this dangerous substance. The only problem was that they were signing a petition to ban plain old ordinary WATER (H2O), just with a scarier sounding (but accurate) name and context.

Likewise, when you use sinister sounding terms like "assault weapon" or even the benign "semi-automatic" (which describes the vast majority of guns, but just sounds dangerous if you don't know what it means), without including a detailed description of what these terms actually mean, people who don't know any better automatically assume that it must be something very bad. I mean, who in their right mind (aside from those who know better) would be in favor of allowing people to own something as scary-sounding as a SEMI-AUTOMATIC ASSAULT WEAPON??? But if you include some important details, such as the fact that these guns simply look unconventional and do not fire faster than nor are more powerful than traditional-looking guns, things would undoubtedly even up quite a bit.

Now, all that aside, let's examine another factor. Of the people who say they support gun control measures such as banning "assault weapons," how many use this as a deciding factor when choosing whom to vote for? Sure, if someone happens to call them at home and ask if they support banning "assault weapons," they'll say yes, but will they actually take the time to sit down and write letters to their elected officials expressing their support for gun control, and will their votes be cast based primarily on this issue? Most likely not. Gun owners, compared to those who say they support gun control when asked, tend to be much more politically active, and DO decide who they will vote for based on the candidates' stance on this issue.

Our elected officials are well aware of this... many of them recognize that they stand to lose many more votes than they will gain by supporting gun control and therefore try to steer clear of the issue when at all possible.

This was a bitter lesson learned by Democrats in the elections held just a few months after the ban was passed in 1994, in which the party was eviscerated at the polls, giving Republicans a majority in Congress. President Bill Clinton later stated that around 21 of the Democratic seats in the House were lost specifically because of their votes on the "assault weapons" ban. In 1996, a repeal of the ban was brought to the floor in the House. Remembering the devastation they experienced as a result of the '94 vote, Democratic leadership reluctantly gave their House members "permission" to break from the party line and vote for the repeal if they had to (56 Democrats joined 183 Republicans in passing the repeal in a lopsided 239-173 vote). The repeal did not make it to the floor in the Senate and would have undoubtedly been vetoed by Clinton anyway.

• The number of people supporting the ban is exaggerated by the fact that most of them do not understand what an "assault weapon" is.

• Those who oppose the ban are much more likely to base their votes on this issue, compared to those who say they support the ban.

Did the Ban reduce crime? Aren't these guns the "weapons of choice" for criminals?

Criminal use of a particular style of firearm does not justify violating the Second Amendment of the Constitution, so the question is based on a faulty premise. But regardless, no, these guns are not frequently used by criminals, and weren't before the ban. The government-funded study on the effects of the ban released in 1999 states, "given the limited use of the banned guns and magazines in gun crimes, even the maximum theoretically achievable preventive effect of the ban on outcomes such as the gun murder rate is almost certainly too small to detect statistically..." The study also states that "the public safety benefits of the 1994 ban have not yet been demonstrated." So, while Sen. Chuck Schumer and others claim that the ban has made a "tremendous impact" on reducing crime, the facts show the exact opposite.

The perception (and let's be clear... that's all it is) that these guns are frequently used in crime is largely due to Hollywood. Most action movies feature bad guys toting fully automatic Uzis and AK-47s. This presents two distinct problems. First of all, it gives people the impression that every street thug and common criminal owns an "assault weapon." Second, perhaps even more importantly, it makes people think that these machine guns are the same weapons that will become available as a result of the AWB's expiration.

No, I'm not suggesting that all moviemakers are actively involved in some sort of secret conspiracy to end private gun ownership in the United States, it's just that their productions are much more exciting with people blazing away with machine guns (which, incidentally, never seem to run out of ammo, just like those 5-shot revolvers that are able to fire dozens of shots without reloading... but I digress), even if this does not reflect reality.

Now, the statistic that is being touted as THE reason to extend the ban is that it reportedly resulted in a 66% drop in "assault weapon" use in crime. While there are reasons to doubt the accuracy of this figure, let's assume for a moment it is factual. This statement is carefully crafted to be readily misunderstood by the public. Note, they do not say the ban has resulted in a drop in crime... just a drop in crimes committed with these certain guns. As mentioned before, crime overall did NOT go down as a result of the ban. This has been proven conclusively.

With that in mind, flip back to the page with the photographs of banned and non-banned guns, and read about the differences between these guns. Keeping in mind the fact that "assault weapons" were only used in around 3% of crimes, does it really make a difference whether or not these crimes were committed using a gun with an adjustable stock and bayonet lug? Guns that were functionally identical to banned guns were available, and the small amount of "assault weapon" use in crime simply shifted to these other firearms.

Another popular quote is "1 in 5 police officers are killed with assault weapons." The deception is unforgiveable. This "study" was conducted by the VPC, an organization that maintains a MUCH broader view of what constitutes an "assault weapon." Thus, most of the guns cited were not even restricted by the now expired ban, so it is intellectually dishonest to use this figure in the context of discussing whether or not the 1994 ban should have been renewed.

• "Assault weapons" have never been used in more than a small percentage of violent crimes.

• The ban did NOT have a measurable effect on crime rates.

Law enforcement support for the Ban

First, let me state the obvious. Saying "but law enforcement supports it" does not exempt a law from complying with the Constitution, nor does it mean that the proposed law should simply be given a rubber stamp approval without careful examination and consideration. But still, most Americans have a great deal of respect for police officers, and if the cops tirelessly working the streets of their town or city are begging for the ban to be renewed, most people will be sympathetic to this. There's only one problem... implying that the "cops walking the beat" support this ban is simply not true.

Once again, we see a clever slight of hand at work. Just as the mention of "AK-47's and Uzis" is intended to invoke visions of machine guns, when ban proponents offer a list of law enforcement organizations, such as the International Association of Chiefs of Police (international?!), Major Cities Chiefs Association, Major County Sheriffs Association, etc., we are expected to believe that a vast majority of actual police officers support the ban. However, as Eric Morgan and David Kopel of the Independence Institute put it in 1991, "even though many media consider the viewpoints of big-city chiefs to represent the viewpoint of all law enforcement, chiefs do not speak for rank-and-file officers any more than Lee Iacocca speaks for all the auto workers."

They go on to say, "While the largest rank-and-file police organization, the [Fraternal Order of Police] supports 'assault weapon' control... the second-largest rank-and-file organization, the American Federation of Police, opposes such controls. Unfortunately, neither organization has polled its membership on the subject. (FOP head [Dewey] Stokes has been repeatedly asked to conduct a poll, and has refused.)" A poll conducted in 1991 by Law Enforcement Technology magazine indicated that almost 79% opposed the ban.

I have received numerous e-mails of encouragement from police officers who have visited www.awbansunset.com. One such e-mail was from an officer named James (who did not want his full name used for fear of reprisals from the upper echelon of his department) who works in a Florida city with a "long history of violent crime... per capita anyway," and stated that during his four years in law enforcement, he has "yet to see an 'assault weapon' in the hands of a street thug, let alone used in a shooting." His father, a retired law enforcement officer, has similar feelings about the AWB.

Daniel Cook, a firearms expert and law enforcement training professional, estimates that approximately 85% of the officers (federal, state, county, city, etc.) he has come into contact with are against the AWB and most other types of gun control.

Of course, this is all merely third party, anecdotal evidence, but it deserves at least as much, if not more credibility than the assertions made by anti-gun organizations and politicians seeking to falsely characterize our nation's rank-and-file police officers as supporting this agenda, without bothering to ask anyone other than their bosses.

High powered?

The larger cartridge is a very popular round for deer hunters. It fires a much larger projectile, and contains a significantly larger powder charge, resulting in longer range and much greater wounding potential than the much smaller and less powerful round commonly fired by "assault weapons."



"You don't need an AK-47 to hunt ducks"

This is a very popular catchphrase often used by ban proponents in an attempt to delegitimize these guns. *They're not useful for hunting, therefore there is no purpose for them to exist.*

Obviously, the first problem with this is that the Second Amendment doesn't guarantee the right to keep and bear arms that are only suitable for hunting. And, as was recently stated in an editorial, "'Who needs an assault weapon?' is an illegitimate question because in a free society, the burden of proof is not upon those who wish to exercise rights, it is upon those who wish to restrict rights."

But aside from that, the whole premise of the statement is absolutely ludicrous. In the movie *"The Distinguished Gentleman,"* Eddie Murphy plays a con artist who manages to get elected to Congress. A gun rights organization takes him and several other people on a hunting trip, and as a flock of ducks flies overhead, the group opens fire with AR-15 style rifles as Murphy looks on. After a huge volume of fire, a single duck

drops to the ground. Murphy quips, "must have had a heart attack."

It would take superhuman marksmanship skills to be able to hit a flying bird with any kind of rifle, which is why hunters instead use shotguns, which fire a spread of projectiles instead of a single bullet at a time.

Another popular variation of this line is, "it's illegal to use AK-47s or Uzis to hunt deer" or something like that. This implies that these firearms are somehow much more powerful than normal hunting rifles, therefore it is unfair that hunters employ such massive military-like firepower when harvesting deer. In reality, the exact opposite is true... the rounds fired by these guns are considered by many states to not be powerful enough to humanely (in other words, quickly) kill a large animal.

So again, the inclusion of these kinds of statements merely reflects these peoples' lack of firearms knowledge and only serves to discredit them in the eyes of hunters who know better than to trust someone who "only" wants to ban these guns. They know that sooner or later, these same anti-gun politicians and activists will come after their deer rifle, calling it a "sniper rifle," or their shotgun, which is far more devastating at close range.

What about "high capacity" magazines?

A magazine is where the ammunition for the firearm is stored, and on most firearms, is detachable for easy and quick reloading. The ban places a 10 round limit in magazines made after 1994, a provision which expired with the rest of the ban.

As with the firearm restrictions imposed by the ban, full capacity magazines made before the ban took effect are "grandfathered" and can be bought, sold, and possessed without restriction. "Pre-ban" magazines for most firearms are plentiful and can be found at just about any gun shop. But these magazines command a higher price than they otherwise would. So, in other words, these magazines are readily available... they're just more expensive than they should be.

The magazine ban is perhaps the only part of the '94 "assault weapons" ban that actually has any bearing on how effective a firearm is. Obviously, all other factors being equal, a pistol with a 15 round magazine is better than one with a 10 round magazine, though it only takes a second or two to swap out an empty magazine for a fully loaded one, so the advantage of the larger magazine is not necessarily as dramatic as the anti-gun side would have you believe. But it would be ridiculous to suggest that there is no advantage at all... of course there is.

In reality, magazine capacity is rarely a deciding factor on EITHER side in gun fights. The 1999 NIJ study on the effects of the ban found that the ban had not caused declines in multiple victim shootings. And, citizens firing in self defense rarely need more than 3 or 4 shots, so 10 rounds should be plenty. But personally, if I am faced with the unenviable prospect of having to defend my family with a firearm, I would want to have every advantage at my disposal, including having those few extra rounds of ammunition rather than being restricted by artificial and arbitrary limitations.

Regardless, apparently most ban proponents in Congress are not overly concerned about these magazines. H.R. 3831, a bill introduced by Rep. Michael Castle which would have renewed only the "assault weapons" part of the '94 Crime Bill, allowing the magazine restriction to expire, was the only House bill related to the AWB receiving any attention as the ban's expiration approached. The vast majority of this bill's co-sponsors are also supporters of much more restrictive legislation to renew and expand the current ban. Senators Schumer and Feinstein, the father and mother of the AWB, have encouraged the House to vote on this bill, and the Brady Campaign is fully behind it also, as is Rep. Carolyn McCarthy, the ban's leading proponent in the House.

Their strategy is clear... desperate to get something, ANYTHING passed, they have decided to forgo the magazine ban, which affects a great deal more gun owners than the "assault weapon" restrictions, in the hopes that enough opposition will fall off to enable the symbolic, but truly meaningless cosmetic gun ban to be passed. This, of course, begs the question... if so-called "killer clips" are so bad, how come these folks have so readily abandoned the magazine restrictions?

- The magazine ban has not affected crime rates.
- Ban proponents have discarded the magazine ban in favor of just pushing for the "assault weapons" ban.

Ok, the bottom line... what will change as a result of the ban's expiration?

The quick answer is, virtually nothing. Ban proponents have been sounding the panic alarm over

the past year or two, and the rhetoric has increased in intensity and viciousness dramatically as we've neared and passed September 13th. Predictions of police being outgunned and innocent people being slaughtered by the thousands are enough to scare anyone, but this is simply inflammatory propaganda intended to frighten the public into supporting something they otherwise wouldn't care much about. And, it's not true.

First of all, the AWB was really not a "ban" at all... it simply meant that no NEW guns fitting that arbitrary definition could be produced. Even if there were some sort of significant difference in the banned guns, there are still plenty of "pre-ban" firearms available, though they command a higher price for their collector's value. Second, production of virtually all the guns "banned" continued over the past 10 years, with just, in the words of the anti-gun Violence Policy Center, "minor cosmetic changes" to make them legal. While anti-gun activists decry the fact that manufacturers "evaded" the ban using a "loophole," the reality is that gun manufacturers fully complied with the law. As discussed earlier, the ban prohibited guns from having two or more listed cosmetic features. So, if a manufacturer was producing a rifle that was equipped with a flash suppressor, a bayonet lug, a pistol grip, and an adjustable stock, they simply removed the bayonet lug, replaced the flash suppressor with a muzzle brake (which reduces felt recoil), and replaced the adjustable stock with one pinned in position. Presto, the gun is no longer an "assault weapon."

Those who do not like the fact that "minor cosmetic changes" are all that distinguish banned guns from non-banned guns should take the matter up with Charles Schumer and Dianne Feinstein... they are the ones who wrote the law like this, while claiming it would be a lifesaver beyond all comprehension, and are continuing to this day to describe the ban in this manner.

But the fact still remains, allowing these accessories to once again be included on firearms hardly amounts to the dramatic increase in lethality and firepower that is being predicted by the anti-gun lobby. The "AK-47s and Uzis will flood the our streets" assertion is absolutely absurd.

• Because the ban only mandated "minor cosmetic changes" for guns to remain legal, "minor cosmetic changes" are all we will see as a result of the ban's expiration.

If that's all the ban is about, why are BOTH sides making such a big deal about it?

In a word, symbolism. The passage of the ban in 1994 established a dangerous precedent that certain guns could be banned based on insignificant design features that did not affect the function of the firearm.

Though the ban was originally lauded as a panacea for gun violence, anti-gun politicians have suddenly "realized" that the banned guns are virtually identical to many non-banned guns and seek to broaden the restrictions, with several bills having been introduced in the House and Senate to radically expand the AWB (under the guise of "renewing" it). These proposals would ban many more guns, some of them specifically "protected" by the first ban.

Among the provisions of these bills, any semiautomatic rifle or shotgun that has "any characteristic that can function as a grip" (a dangerously broad and vague definition that includes just about ALL semi-auto long guns, including the one recently given to Sen. John Kerry as a gift) would be deemed an "assault weapon," and the Attorney General would have the power to, with the stroke of a pen, ban any gun not thought to be "suitable for sporting purposes." Fortunately, these bills have gone nowhere, but it still illustrates the mindset of ban proponents.

From the anti-gun perspective, the expiration of the ban represents yet another step away from their goal of tightly regulating civilian gun ownership in America. In recent years, the anti-gun movement has been dealt numerous setbacks, as it has become more and more apparent that the American public is taking an unfavorable view of gun control.

The AWB, even though it accomplished virtually nothing, is their signature issue, and they are frantic at the thought of it not being continued, just for the aura of defeat it will foster.

A recent Los Angeles Time editorial states, "the NRA loudly insists that the law is flawed because it bars some guns while allowing nearly identical weapons that have been cosmetically tweaked. That's absolutely correct." Amusingly, despite freely admitting that the ban only affects guns in a superficial way, the writer angrily rants about how the renewal of the ban is being blocked by Republicans, and implies horrifying predictions of what will happen when this ban on "weapons of mass destruction" (his words) expires.

So, which is it? A ban on WMDs, or a ban on guns that just look a little different from non-banned guns?

Fear mongering

Some of the things said by supporters of the ban are so outrageous, it's difficult to even acknowledge them.

But examining these statements sheds a great deal of light on the mindset of these people. The "scorched earth" strategy is clear... win at all costs, even if you have to be dishonest about what the ban actually does. Just ask yourself, why must they employ scare tactics like this? Why can't they just talk openly and plainly about why the ban should be extended? The answer is obvious... the facts and evidence do not support their position.

Every day ["assault weapons" are] what our military are using in the war in Iraq -- we need these guns on our streets? – Rep. Carolyn McCarthy 5/9/04

• Attempting to make the public believe the ban covers machine guns

• Implying that the banned guns are frequently used in crime

There is little doubt that Rep. McCarthy is well aware that our soldiers don't use civilian model semi-automatic AR-15s or any other guns that would be affected by the expiration of the ban. Yet she knowingly makes this clearly false statement, implying that the ban's expiration will make it possible for anyone to scoot down to the local Wal-Mart and buy a machine gun like those used by our military.

On the other hand, I suppose it is possible that she genuinely doesn't know any better. So, she's either lying to the American people about what the ban covers or is totally unknowledgeable on the issue she is championing. Take your pick.

...the estimated 3,000 marchers Sunday vowed to lobby their representatives until the federal ban, which outlaws 19 types of semiautomatic weapons including Uzi submachine guns and AK-47 assault rifles, is renewed or made permanent. – Chicago Times news article 5/10/04

• Attempting to make the public believe the ban covers machine guns

This writer clearly has a lack of understanding about how firearms function, as evidenced by the contradictory terms employed in this quote. A semi-automatic fire arm is not a machine gun. While even just the use of "Uzi" and "AK-47" is enough to make the average reader think the AWB restricts machine guns, including "submachine guns" takes it well beyond simple trickery into outright fraud (or very sloppy reporting).

The sight of Iraqis toting AK-47 assault rifles on the streets of Baghdad is common in the news, and a scary image. Thank goodness America's streets are safe from that kind of firepower, you might be thinking.

But the 10-year-old federal ban on assault rifles in the United States is about to expire on Sept. 13.
– morningjournal.com editorial 7/7/04

• Attempting to make the public believe the ban covers machine guns

Once again, we see yet another example of what opinion writers must resort to in order to rally support for the AWB, attempting to frighten and mislead Americans with visions of machine guns. Keep in mind what is mentioned in the above LA Times editorial... "cosmetic tweaks" are all that separate banned guns from non-banned guns that are freely available now. It's no wonder this writer ignores this fact, and instead engages in dishonest scare tactics.

If you have ever watched old black-and-white gangster movies on late-night television, you've seen cops and robbers blasting away at each other with Tommy guns, those 1920s submachine guns with the big, round cartridge chambers.

After some of J. Edgar Hoover's FBI agents got outgunned and killed with the fast-firing Thompson submachine guns, Hoover used his legendary political clout to push a nationwide ban on Tommy guns through Congress.

Maybe the National Rifle Association didn't have as much power back then. But the Tommy gun ban apparently passed without any huge outcry about a guaranteed constitutional right to hunt deer or shoot targets with submachine guns. – San Francisco Examiner editorial 7/5/04

• Attempting to make the public believe the ban covers machine guns

While elsewhere in this piece, a passing reference of "semiautomatic" is included, this intro is cleverly designed to plant the idea in the reader's head that the guns affected by the AWB are modern versions of the Thompson submachine gun.

Semi-automatic assault weapons-which fire up to 250 rounds of ammunition within seconds and without warning-are weapons of war that do not belong on the streets of our communities. – Sen. Dianne Feinstein, letter to a constituent dated 8/9/04.

• Attempting to make the public believe the ban covers machine guns

First of all, it should be pointed out how downright silly her suggestion that one of the reasons "assault weapons" must be banned is because they fire "without warning." Is she suggesting that all firearms should be equipped with a delayed trigger that activates a small siren and flashing light for the purpose of alerting anyone in the vicinity that a gun is about to be discharged?

That aside, let's look at the important part of this statement. "250 rounds... within seconds." This is clearly intended to invoke visions of machine guns wildly spraying bullets at a rapid rate, as seen in movies. But let's examine this claim carefully.

Though technically, "within seconds" could mean, well, as much time as you want it to mean, I think any reasonable person would interpret that phrase as meaning around 5 or 6 seconds. Let's be extra-generous and assume it means 10 seconds... do you know of any human who can pull a trigger 25 times per second (and that's not even counting reloads).

Six rounds per second is about the most that could realistically be attained firing semi-automatic. Assuming someone had the "finger stamina" to sustain this rate of fire, and including reloads (and assuming the person was skilled at quickly swapping magazines), it would take about a minute to a minute and a half to fire 250 rounds. She considers that "within seconds?"

Nothing gets Los Angeles Police Chief William Bratton more impassioned than talking about the impending expiration of the 10-year-old assault weapons ban.

"Nobody has an inalienable right to run around with a machine gun," he said. "I'm sorry, that's insanity!"

...If it expires, Russian AK-47 assault rifles and Israeli Uzi machine guns could become available, as well as high-capacity ammunition magazines that hold more than 10 bullets. – abcnews.com 9/8/04

• Just plain fraudulent reporting

The quote from Chief Bratton and the Uzi machine gun reference were quietly removed the following day. But the fact that it was there to begin with is inexcusable. And the police chief of one of America's biggest cities not knowing that the ban doesn't affect machine guns?

"[Americans] do not have a right to bear assault weapons which were designed for military use. They're designed to be held at the hip and to go in and spray and kill as many people in a McDonald's as possible. They were designed to go in and kill as many people in an elementary school as possible. " – Donna Dees-Thomases, Million Mom March founder, from MSNBC's Hardball with Chris Matthews, 5/7/04.

• Disgusting, inflammatory scare tactics

Does anyone really think that firearms designers sat around the drawing table trying to figure out how to make their guns perform as effectively as possible in shooting up schools and fast-food restaurants? When you have no true justification for your position, you have to try to frighten people into supporting it. I'm thankful I don't have to resort to these despicable tactics in arguing my position on this issue.

Who opposes the ban?

Contrary to what is often said by ban proponents, this, like most gun control, is not necessarily a Republican vs. Democrat issue. It's more "geographic" than anything... for example, while several northeast Republicans support the ban, many southern and midwestern Democrats oppose it.

For example, prominent Wisconsin Democrat Russ Feingold (who, incidentally, supported the ban in 1994) recently stated that the "10 year trial period" of the ban showed that it was "arbitrary and only symbolic."

Tennessee Democrat Jim Cooper states in a letter to a constituent, "I did not vote for the Assault Weapons Ban when it was passed by Congress in 1994 and I do not support its extension now."

Many more Democrats oppose the ban. In 1996, the House passed a repeal of the AWB by a lopsided margin, which included approximately 50 Democrats. In the Senate, when an amendment to renew the ban was considered, 6 Democrats voted against it, with another who was absent for medical reasons stating that he would have voted against extending the ban had he been present.

Kentucky Republican Anne Northup writes, "although I was not in Congress when the ban was enacted, I initially favored such a measure because it appeared that there was a direct link between gang violence, multiple-death shootings, and assault weapons. However, in the last ten years, studies have been unable to show that the ban has significantly contributed to declines in violent crime and many people believe that the connection between the two is tentative at best."

Gun control supporter Tony Messenger writes in a 9/15/04 Columbia Daily Tribune editorial, "[The assault weapons ban] made us feel better. Other than that, it did nothing much at all, and that's why I'm not mourning its passing."

Law enforcement opposition to the ban

Since its expiration, numerous high ranking law enforcement officers have spoken out against the ban, discrediting the myth that all law enforcement officers support the ban.

"Honestly, I don't think (the ban) was all that effective. If guns are used in a crime, they're dangerous across the board. It doesn't matter what kind they are."
Lewis and Clark County, MT Sheriff Cheryl Liedle

"A semi-automatic .22 is perfectly legal, but you put a fancy stock on it and a big magazine and suddenly it's illegal.... the weapon of choice is a semi-automatic handgun. Instead of banning that, they addressed the assault weapon. The law addressed weapons that were not commonly used."
Penn Township, PA Police Chief Sam Gilbert

"I think they let it expire because they realized it wasn't doing much to begin with"
Granville, OH Police Chief Steve Cartnal

"We're in agreement that the assault weapon ban didn't have an effect on our violent crime while it was in effect"
Helena, MT Police Dept. Capt. Mike Anderson

"This is one of those issues that probably has deeper philosophical meaning than it does practical."
Manatee County, FL Sheriff Charlie Wells

"If I thought it really and truly made a difference, protected our police officers and our law abiding citizens, certainly I'd be in favor of it. I don't think its had any impact whatsoever to be honest with you. I think it's touchy feely legislation that has had no real impact."
Huntsville, AL Police Chief Compton Owens

"In the grand scheme of things, I really don't think it's going to make any difference. It's not the gun as much as the person holding it."
Belpre, OH Police Sgt. Ernest Clevenger

"Locally, [there will be] very little [change in how we do our jobs], if any. The majority of the weapons we recover locally are not assault weapons, but are shotguns, handguns, hunting weapons, things of that sort."
Colbert County, AL Sheriff Ronnie May

"It really wasn't protecting law enforcement or the public, from my perspective."
Jacksonville, FL Sheriff John Rutherford

Conclusion

A comparison of editorials in favor of and in opposition to the AWB offers some interesting contrasts. Typically, the anti-gun editorials rely on emotional rhetoric, such as a tragic story of someone being killed with a gun (even though said gun is almost never an actual "assault weapon"), include some references to "AK-47s and Uzis," and feign outrage at how these ultra-deadly guns are going to be flooding our streets soon. They never seem to get around to actually explaining WHY these guns are so particularly dangerous (because, as you now know, they AREN'T more dangerous than other guns).

On the other hand, pro-gun editorials offer factual information about these guns, and cite the numerous studies that indicate the ban has had no measurable effect on crime.

Given these facts, which side is more worthy of being trusted?

If you are of the opinion that citizens should not be allowed to own ANY guns, naturally there is no reason for you to oppose this ban. But if you are generally supportive of the Second Amendment, but have "drawn the line" at what you have been told are exceptionally dangerous firearms, my hope is that you will have learned enough in this document so as to make a more informed decision on this issue.

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